Case 5:08-mj-70385-MRGD Document 5 Filed 08/26/2008 Page 1 of 1 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	Case Number <u>CR-08-70385</u> -RS
Feliciano Manije - Defendant	ORDER OF DETENTION PENDING TRIAL
In accordance with the Bail Reform Act, 18 ILS C 8 3	142(f) a detention hearing was hold - St.
Defendant was present, represented by his attorney L. Vin	The History State on 8/26, 200
Assistant U.S. Attorney D. Kaleb	. The Office States was represented by
PART I. PRESUMPTIONS APPLICABLE	
/ The defendant is charged with an offence described	La torra di per cara ca
/ The defendant is charged with an offense described	in 18 U.S.C. § 3142(f)(1) and the defendant has been
convicted of a prior offense described in 18 U.S.C. § 3142(f)(1)	while on release pending trial for a federal, state or local
offense, and a period of not more than five (5) years has elapsed imprisonment, whichever is later.	since the date of conviction or the release of the person from
. ampricontations, which ever is later.	
rins establishes a reputtable presumption that no conditi	ion or combination of conditions will reasonably assure the
buttery of any other person and the community.	
/ There is probable cause based upon (the indictment)	(the facts found in Part IV below) to believe that the
GOLOMORITE HAS COMMITTEED AN OTTENSE	
A for which a maximum term of imprisonmen	t of 10 years or more is prescribed in 21 U.S.C. § 801 et
seq., y 351 et seq., or g 355a et seq., OR	第二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十
B. under 18 U.S.C. § 924(c); use of a firearm d	uring the commission of a felony
This establishes a reduttable presumption that no condition	P or combination of conditions 11
appearance of the defendant as required and the safety of the comm	numity.
No presumption applies.	
PART II. REBUTTAL OF PRESUMPTIONS, IF APPLICABLE	
/ / The defendant has not come forward with any evidence	se to rebut the amiliarble anniversal.
will be ordered detained.	to result the applicable presumption[s], and he therefore
/ / The defendant has come forward with evidence to reb	ut the problem is a second of the second of
The state of the s	at the applicable presumption[s] to wit:
Thus, the burden of proof shifts back to the United States.	
PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPL	
The United States has proved to a prepared server of the	ICABLE)
The United States has proved to a preponderance of the will reasonably assure the appearance of the defendant as required,	evidence that no condition or combination of conditions
/ The United States has proved by close and assessment	AND/UR
// The United States has proved by clear and convincing will reasonably assure the safety of any other person and the commu	evidence that no condition or combination of conditions
PART IV WOLTERN FINDINGS OF E. C	mity.
PART IV. WRITTEN FINDINGS OF FACT AND STATEMENT OF REAS	ons for Detention
The Court has taken into account the factors set out in 1	8 U.S.C. § 3142(g) and all of the information submitted
the acting and mids as tonows. The allendant is then	slow with a vweating of 8 USC & 1326
He is undocumented. The dependan	
	muiction for arrow invaluence
great bothy injury. He has got leas	of supplied and one probation
Twelestien indicating that he is no	t supervisable. He also has a
fling conviction of assault with	a deadly weapon not a lugary
	The state of the s
// Defendant, his attorney, and the AUSA have waived write	ten findings.
PART V. DIRECTIONS REGARDING DETENTION	
The defendant is committed to the custody of the Attorney Gener	al or his designated representative for confirment in
stroctions facility separate to the extent practicable from persons awaiting	for or serving contanges on being Little
peal. The defendant shall be afforded a reasonable opportunity for priv	rate consultation with defense and it.
the United States or on the request of an attorney for the Government, to defendant to the United States North-15 and	the person in charge of the
e defendant to the United States Marshal for the purpose of an appearan	ce in connection with a court
d/21./2	oom connection with a court proceeding.
tted: 0/09/08	Capter Michiel Ul
JSA CATTY C.PTS	PATRICIA V. TRUMBULL
	United States Magistrate Lada
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